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		Express Mail No.	EV332069657
<b>DECLARATION FOR UTILITY, DESIGN, DIVISIONAL AND CONTINUATION-IN-PART PATENT APPLICATIONS (37 CFR 1.63)</b>		Attorney Docket Number	73168-001
		First Named Inventor	Penning, Dennis E.
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing		<b>COMPLETE IF KNOWN</b>	
<input type="checkbox"/> Supplemental Declaration Submitted	<input type="checkbox"/> Declaration Submitted for Continuation-In-Part Filing	Application Number	TBA
		Filing Date	Herewith
		Group Art Unit	TBA
		Examiner Name	TBA

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Multi-Purpose Portable Lay-Down Fence**

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) [redacted]

as United States Application Number or PCT International

Application Number [redacted]

and was amended on (MM/DD/YYYY) [redacted]

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
			<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

C:\Documents and Settings\DENNIS PENNING\My Documents\POWER OF ATT\DeclarationofDennisPenning(v1).DOC

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, D.C.

PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:  Customer Number  
or Bar Code Label 029493 OR  Correspondence address below

**Name** H. Frederick Rusche

**Address** Husch & Eppenberger, LLC, 190 Carondelet Plaza

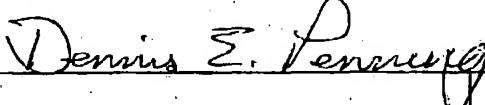
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**Country** USA **Telephone** 314-480-1500 **Fax** 314-480-1505

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAME OF SOLE OR FIRST INVENTOR :**  A petition has been filed for this unsigned inventor

<b>Given Name</b> (first and middle [if any]) Dennis E.	<b>Family Name</b> or Surname Penning
--	--

<b>Inventor's Signature</b> 	<b>Date</b> 07/27/03
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<b>Residence:</b> <b>City</b> St. Louis	<b>State</b> Missouri	<b>Country</b> USA	<b>Citizenship</b> American
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**NAME OF SECOND INVENTOR :**  A petition has been filed for this unsigned inventor

<b>Given Name</b> (first and middle [if any])	<b>Family Name</b> or Surname
--	----------------------------------

<b>Inventor's Signature</b>	<b>Date</b>
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<b>Residence:</b> <b>City</b>	<b>State</b>	<b>Country</b>	<b>Citizenship</b>
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**Mailing Address**

<b>City</b>	<b>State</b>	<b>ZIP</b>	<b>Country</b>
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Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box → 

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Express Mail No.: EV332069657

Application Number	New
Filing Date	Herewith
First Named Inventor	Penning, Dennis E.
Title	Multi-Purpose Portable Lay-Down Fence
Group Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	73168-001

I hereby appoint:

 Practitioners at Customer Number  
OR

029493

\*29493\*

29493

PATENT TRADEMARK OFFICE

 Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

<input type="checkbox"/> Firm or Individual Name	H. Frederick Rusche			
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Telephone	314-480-1500	Fax	314-480-1505	

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.  
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).*

## SIGNATURE of Applicant or Assignee of Record

Name	Dennis E. Penning
Signature	<i>Dennis E. Penning</i>
Date	07/27/03

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

 \*Total of 1 forms are submitted.

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